UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/728,704	12/01/2000	Alfredo Agnelo Judas Sebastiao do Rosario Botelho	ZEDO-01003US0	4887

23910	7590	08/20/2003

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EXAMINER
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ART UNIT	PAPER NUMBER
3622	

DATE MAILED: 08/20/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _16 December 2002_ .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-86_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-86_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____ .

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)   4)☐ Interview Summary (PTO-413) Paper No(s). _____ .

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)   5)☐ Notice of Informal Patent Application (PTO-152)

3)☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _2 and 3_ .   6)☐ Other: .

1.   Claims 1-86 have been examined.

Claim Objections

2.   Claims 37, 56, 73 and 83 are objected to because of the following informalities:

"preform" should read "perform". Appropriate correction is required.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3-12, 16-18, 20-21, 23-27, 29-33, 35-38, 40-45, 47-54, 56-58 and 60-

63 rejected under 35 U.S.C. 102(b) as being anticipated by Reilly et al (U.S. 5,740,549).

As per claim 1, Reilly et al teach:

A method of providing targeted advertising, comprising the steps of:

receiving information indicating a user selected category request for targeted

advertising (see column 2, line 47 – column 3, line 24; figure 5);

identifying a first advertisement corresponding to said category request (see

column 9, lines 35-61; figure 5) ; and

providing said first advertisement (see column 2, line 61 – column 3, line 25).

As per claim 3, Reilly teaches:

A method according to claim 1, wherein:

said category request includes a request for a category and a subcategory (see

figure 5).

As per claim 4, Reilly teaches:

A method according to claim 1, wherein:

said first advertisement is a banner ad for a web page (see figure 6).

As per claim 5, Reilly teaches:

A method according to claim 4, further comprising:

displaying said advertisement on a client device (see column 2, line 61 – column

3, line 25).

As per claim 6, Reilly teaches:

A method according to claim 4, wherein:

said first attribute is received at a server from a client device and said step of

providing includes communicating said advertisement from said server to said client

device (see column 14, line 62 – column 15, line 40).

As per claim 7, Reilly teaches:

A method according to claim 1, further comprising the steps of:

receiving a second attribute indicating a property of a client device, said step of

receiving information includes receiving a first attribute, said first attribute indicates said

user selected category request and retrieving a third attribute indicating an index, said

step of identifying is based on said second attribute and said third attribute (see figure 5,

column 9, line 35-61).

As per claim 8, Reilly teaches:

A method according to claim 7, wherein:

said second attribute is selected by a publisher capable of controlling

environmental characteristics of said client device; said first attribute, said second

attribute and said third attribute are received from said client device; and said step of providing includes communicating said first advertisement to said client device (see column 6, line 16 – column 8, line 19).

As per claim 9, Reilly teaches:

A method according to claim 7, wherein:

said second attribute is selected by a server; said first advertisement is stored at said server; and said step of providing includes communicating said first advertisement from said server (see columns 7-8).

As per claim 10, Reilly teaches:

A method according to claim 7, wherein:

said second attribute is transient (see column 14, line 60 – column 15, line 40).

As per claim 11, Reilly teaches:

A method according to claim 7, wherein:

said second attribute is permanent (see column 15).

As per claim 12, Reilly teaches:

A method according to claim 7, wherein:

said first, second and third attributes are represented by bit patterns (see figures 1-5).

As per claim 16, Reilly teaches:

A method according to claim 1, further comprising the steps of receiving a request for a next advertisement corresponding to said user selected category request;

identifying said next advertisement; and providing said next advertisement (see columns 7-8).

As per claim 17, Reilly teaches:

A method according to claim 1, further comprising the steps of:

receiving a request for a previous advertisement corresponding to said user selected category request; identifying said previous advertisement; and providing said previous advertisement (see column 9, lines 35-61).

As per claim 18, Reilly teaches:

A method according to claim 1, wherein:

said step of providing includes communicating said first advertisement to a client device; and said client device includes an interactive television (see columns 1-2).

As per claim 20, Reilly teaches:

A method according to claim 1, wherein:

said step of providing includes communicating said first advertisement to a client device; and said client device includes a personal information manager (see column 4, lines 22-64).

As per claim 21, Reilly teaches:

A method according to claim 1, wherein:

said step of providing includes communicating said first advertisement to a client device; and said client device includes a computer displaying a web site (see column 13, lines 1-25).

As per claim 23, Reilly teaches:

A method according to claim 1, further comprising the steps of:

displaying a content selection interface at a client, said content selection interface includes a category selection device (see figure 5);

receiving said user selected category request based on said category selection device (see figure 5); and

communicating said user selected category request from said client to a server, said server performs said step of receiving a first attribute (see columns 7-9).

As per claim 24, Reilly teaches:

A method according to claim 23, wherein:

said category selection device includes a pull down menu displaying a set of categories (see figure 5).

As per claim 25, Reilly teaches:

A method according to claim 23, wherein:

said category selection device includes a text box (see figure 5).

As per claim 26, Reilly teaches:

A method according to claim 23, wherein:

said first advertisement is a banner and for a web page (see column 13 and figure 10).

As per claim 27, Reilly teaches:

A method according to claim 26, further including the steps of:

displaying a first content page, said step of displaying a content selection interface is part of said step of displaying a first content page; displaying a second

content page; sending a request from said client to said server for a second advertisement based on said user selected category; and receiving and displaying said second advertisement on said client, said second advertisement is displayed with said second content page (see figures 6-10)

As per claim 29, Reilly teaches:

A method according to claim 1, wherein:

said steps of receiving, identifying and providing are performed in real time; and said steps of identifying and providing are performed in response to said step of receiving (see columns 5-8).

As per claim 30, Reilly teaches:

A method according to claim 1, wherein:

said step of identifying is performed without making use of user profile information (see figure 5).

As per claim 31, Reilly teaches:

A method according to claim 1, wherein:

said step of providing includes only providing advertisements that correspond to said user selected category request (see figure 5, column 9, lines 35-61).

Claim 32 contains the same limitations as claim 1 therefore the same rejection is applied.

Claim 33 contains the same limitations as claim 4 therefore the same rejection is applied.

Claim 35 contains the same limitations as claim 7 therefore the same rejection is applied.

Claim 36 contains the same limitations as claim 16 therefore the same rejection is applied.

Claim 37 contains the same limitations as claim 1 therefore the same rejection is applied.

Claim 38 contains the same limitations as claim 4 therefore the same rejection is applied.

Claim 40 contains the same limitations as claim 7 therefore the same rejection is applied.

Claim 41 contains the same limitations as claim 16 therefore the same rejection is applied.

Claim 42 contains the same limitations as claims 23-26 therefore the same rejection is applied.

Claim 43 contains the same limitations as claim 29 therefore the same rejection is applied.

Claim 44 contains the same limitations as claim 8 therefore the same rejection is applied.

Claim 45 contains the same limitations as claims 6 and 7 therefore the same rejection is applied.

Claim 47 contains the same limitations as claim 7 therefore the same rejection is applied.

Claim 48 contains the same limitations as claim 23 therefore the same rejection is applied.

Claim 49 contains the same limitations as claim 25 therefore the same rejection is applied.

Claim 50 contains the same limitations as claim 24 therefore the same rejection is applied.

Claim 51 contains the same limitations as claim 26 therefore the same rejection is applied.

Claim 52 contains the same limitations as claim 27 therefore the same rejection is applied.

As per claim 53, Reilly teaches:

A method according to claim 52, wherein said step of displaying a first content page includes the steps of:

displaying content; determining whether valid selection information exists; displaying a targeted advertisement if valid selection information exists; and displaying a non-targeted advertisement if valid selection information is not found (see column 15, line 19 – column 16, line 60).

As per claim 54, Reilly teaches:

A method according to claim 53, wherein:

said step of determining includes looking for a valid cookie (see column 15).

Claim 56 contains the same limitations as claims 1, 5 and 23 therefore the same rejection is applied.

Claim 57 contains the same limitations as claim 4 therefore the same rejection is applied.

Claim 58 contains the same limitations as claims 7 and 9 therefore the same rejection is applied.

Claim 60 contains the same limitations as claim 7 therefore the same rejection is applied.

Claim 61 contains the same limitations as claims 23 and 24 therefore the same rejection is applied.

Claim 62 contains the same limitations as claim 27 therefore the same rejection is applied.

Claim 63 contains the same limitations as claim 53 therefore the same rejection is applied.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 2, 34, 39, 46 and 59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reilly et al (U.S. 5,740,549) in view of Markus (U.S. 6,499,042).

As per claim 2, Reilly does not expressly teach:

A method according to claim 1, wherein:

said step of receiving includes receiving a URL, said URL includes a first attribute and a second attribute concatenated in said URL; and said step of identifying includes using at least a portion of said URL to find said first advertisement. However, Markus teaches a system where location identifier, such as URL and users identifiers store in cookies, are used to send information from user to server computers for the purpose of customizing the user's content (see abstract). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that Reilly would use the URL to identify the location of advertisements and deliver them accordingly, as taught by Markus. This feature would allow the Reilly system to use URL to send information via the Internet.

Claim 34 contains the same limitations as claims 2 and 7 therefore the same rejection is applied.

Claim 39 contains the same limitations as claims 2 and 7 therefore the same rejection is applied.

Claim 46 contains the same limitations as claim 2 therefore the same rejection is applied.

Claim 59 contains the same limitations as claim 2 therefore the same rejection is applied.

Claims 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reilly et al (U.S. 5,740,549).

As per claim 13, Reilly teaches:

A method according to claim 7, wherein said first, second and third attributes are stored in one or more cookies (see columns 6-7). Reilly does not expressly mention cookie, however official notice is taken that a cookie is a piece of text that a server can store on a user's hard disk. Cookies allow a Web site to store information on a user's machine and later retrieve it. The pieces of information are stored as name-value pairs. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that Reilly would store information as name-value pairs in cookies to have better access to the data.

As per claim 14, Reilly teaches:

A method according to claim 13, wherein:

said one or more cookies reside on a server remote from said client; and said step of providing includes communicating said first advertisement from said server to said client for display on said client (see columns 5-6).

As per claim 15, Reilly teaches:

A method according to claim 13, wherein:

said one or more cookies reside on a client device; and said step of providing includes communicating said first advertisement from a server to said client for display on said client (see columns 6-8).

Claims 19 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reilly et al (U.S. 5,740,549) in view of Kolls (U.S. 6,604,087).

As per claim 19, Reilly fail to teach:

A method according to claim 1, wherein:

said step of providing includes communicating said first advertisement to a client

device; and said client device includes a mobile computing device. However, Kolls

teaches the deliver of advertisements to mobile computing devices (see abstract).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time

the application was made, to know that Reilly would deliver advertisement to mobile

computing devices, as taught by Kolls. This feature would be an improvement to the

Reilly system as users can receive target advertisements in different locations.

As per claim 22, Reilly fails to teach:

A method according to claim 1, wherein:

said step of providing includes communicating said first advertisement to a client device;

and said client device includes a cellular telephone. However, Kolls teaches the deliver

of advertisements to mobile computing devices (see abstract). Therefore, it would have

been obvious to a person of ordinary skill in the art at the time the application was

made, to know that Reilly would deliver advertisement to mobile computing devices, as

taught by Kolls. This feature would be an improvement to the Reilly system as users

can receive target advertisements in different locations.

Claims 28 and 55 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Reilly et al (U.S. 5,740,549) in view of Allport (6,097,441).

As per claim 28, Reilly fails to teach, a method according to claim 26, further

comprising the steps of: receiving a vote about said advertisement; adding said vote to

a tally of votes; and providing information about said tally of votes. However, Allport

teaches a system where users can vote on the likes or dislikes on programs or

advertisements (see column 12). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that users of the Reilly system would vote on the like or dislike of programs or advertisements, as taught by Allport. This feature would be used to determine the success of the target advertisements.

Claim 55 contains the same limitations as claim 28 therefore the same rejection is applied.

Claim Rejections - 35 USC § 102

5.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 64-86 are rejected under 35 U.S.C. 102(e) as being anticipated by Gupta et al (U.S. 6,487,538).

As per claim 64, Gupta teaches:

A method for locating content, comprising:

retrieving a set of two or more attributes from at least one cookie; combining said attributes; forming a URL, said URL includes said combined attributes; and communicating said URL to a server in order to access content (see column 4, line 66 – column 5, line 64; columns 9-10).

As per claim 65, Gupta teaches:

A method according to claim 64, further comprising the steps of:

receiving said content in response to said step of communicating; and reporting said content (see column 4, line 66 – column 6, line 45).

As per claim 66, Gupta teaches:

A method according to claim 64, further comprising the steps of:

finding said content at said server, said URL includes an explicit identification of a location within a file system to find said content, said step of finding uses said explicit identification; transmitting said content from said server to a client, said steps of combining and forming are performed by said client; and displaying said content on said client (see column 4, line 66 – column 6, line 45; columns 9-10).

As per claim 67, Gupta teaches:

A method according to claim 64, wherein:

said attributes comprise category information, an index for said category information and one or more properties (see columns 10-11).

As per claim 68, Gupta et al teach:

A method according to claim 64, wherein:

said attributes include a first attribute and a second attribute; said URL includes an identification of a host, said first attribute and said second attribute; and said URL includes an explicit identification of a location within a file system to find said content (see column 4, line 66 – column 6, line 45; columns 9-10).

As per claim 69, Gupta et al teach:

A method according to claim 68, wherein:

said first attribute corresponds to a first bit pattern; and said second attribute corresponds to a second bit pattern (see column 4, line 66 – column 6, line 45).

As per claim 70, Gupta et al teach:

A method according to claim 64, wherein:

said attributes include a first attribute and a second attribute; and said first attribute and said second attribute are stored in one or more cookies (see column 4, line 66 – column 6, line 45).

As per claim 71, Gupta et al teach:

A method according to claim 64, wherein:

said steps of combining and forming are performed by a client remote from said server; and said one or more cookies reside on said client device (see column 4, line 66 – column 6, line 45)

As per claim 72, Gupta et al teach:

A method according to claim 64, wherein:

said steps of combining and forming are performed by a client remote from said server; and said one or more cookies reside on said server (see column 4, line 66 – column 6, line 45).

As per claim 73, Gupta et al teach:

An apparatus, comprising:

one or more processors; a communication interface in communication with said one or more processors and a network; and one or more storage devices in

communication with said one or more processors, said one or more storage devices store content, said one or more processors programmed to perform a method comprising the steps of:

retrieving a set of two or more attributes from at least one cookie, combining said attributes, forming a URL, said URL includes said combined attributes, and communicating said URL to a server in order to access targeted content (see column 4, line 61 – column 5, line 60; column 9).

As per claim 74, Gupta et al teach:

An apparatus according to claim 73, wherein said method further comprises the steps of receiving said targeted content in response to said step of communicating; and reporting said targeted content (see column 5, line 65 – column 6, line 45).

As per claim 75, Gupta et al teach:

An apparatus according to claim 73, wherein:

said attributes include a first attribute and a second attribute; said URL includes an identification of a host, said first attribute and said second attribute; and said URL includes an explicit identification of a location within a file system to find said content (see column 4, line 53 – column 6, line 45).

As per claim 76, Gupta et al teach:

An apparatus according to claim 73, wherein:

said attributes include a first attribute and a second attribute; and said first attribute and said second attribute are stored in separate cookies (see column 4, line 65 – column 5, line 65).

As per claim 77, Gupta et al teach:

A method for providing content, comprising the steps of:

determining whether one or more cookies store valid attribute data; and providing targeted content if said step of determining concludes that one or more cookies store valid attribute data (see column 4, line 66 – column 5, line 67).

As per claim 78, Gupta et al teach:

A method according to claim 77, further comprising the step of providing alternate content if said step of determining does not conclude that one or more cookies store valid attribute data (see column 4, line 66 – column 5, line 67).

As per claim 79, Gupta et al teach:

A method according to claim 78, wherein said step of providing targeted content includes the steps of:

adding said valid attribute data to a URL, said valid attribute data includes data from two or more cookies; communicating said URL to a server; receiving said targeted content from said server; and displaying said targeted content (see column 4, line 66 – column 5, line 67) .

As per claim 80, Gupta et al teach:

A method according to claim 78, wherein:

said targeted content is a first advertisement pertaining to a first category; said valid attribute data corresponds to said first category; and said alternate content is a second advertisement that is not sorted by a category pertaining to said valid attribute data (see column 9, line 53 – column 10, line 63).

As per claim 81, Gupta et al teach:

A method according to claim 77, wherein:

said valid attribute data is represented by one or more bit patterns (see column 4, line 66 – column 6, line 45).

As per claim 82, Gupta et al teach:

A method according to claim 77, wherein:

said valid attribute data includes a first attribute, a second attribute and a third attribute; said first attribute is stored in a first cookies; said second attribute is stored in a second cookie; and said third attribute is stored in a third cookie (see column 4, line 66 – column 6, line 45).

As per claim 83, Gupta et al teach:

An apparatus, comprising:

one or more processors;

a communication interface in communication with said one or more processors and a network and one or more storage devices in communication with said one or more processors, said one or more storage devices store content, said one or more processors programmed to perform a method comprising the steps of:

determining whether one or more cookies store valid attribute data, and providing targeted content if said step of determining concludes that one or more cookies store valid attribute data (see column 4, line 66 – column 6, line 45).

As per claim 84, Gupta et al teach:

An apparatus according to claim 83, wherein said method further comprises the step of:

providing alternate content if said step of determining does not conclude that one or more cookies store valid attribute data (see column 12, line 51 – column 14, line 64).

As per claim 85, Gupta et al teach:

An apparatus according to claim 83, wherein said step of providing targeted content includes the steps of:

adding said valid attribute data to a URL, said valid attribute data includes data from two or more cookies; communicating said URL to a server; receiving said targeted content from said server; and displaying said targeted content (see columns 9-10).

As per claim 86, Gupta et al teach:

An apparatus according to claim 85, wherein:

said targeted content is a first advertisement pertaining to a first category; said valid attribute data corresponds to said first category; and said alternate content is a second advertisement that is not sorted by a category pertaining to said valid attribute data (see column 9, line 53 – column 10, line 63).

Conclusion

6.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL LASTRA whose telephone number is 703-306-5933. The examiner can normally be reached on 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, ERIC. W STAMBER can be reached on 703-305-8469. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-872-9327 for After Final communications.

Any inquiry of a. general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

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Daniel Lastra
August 7, 2003

JAMES W. MYHRE
PRIMARY EXAMINER
ART UNIT 3622